

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA)	Criminal No.	5:23-CR- 375 (GTS)
)		
v.)	Indictment	
)		
LOUIS LAPOLLA,)	Violation:	18 U.S.C. § 1341
)		[Mail Fraud]
Defendant.)		
)	6 Counts & Forfeiture Allegation	
)		
)	County of Offense:	Oneida

THE GRAND JURY CHARGES:

Background

1. On or about March 9, 2018, Andrea M. Perri LaPolla, the wife of the defendant, **LOUIS LAPOLLA**, passed away.
2. In or around March 2018, Defendant **LAPOLLA** and others acting on his behalf began sending flyers by U.S. mail to individuals and businesses to solicit donations to a scholarship fund in honor of the late Andrea LaPolla, and Defendant **LAPOLLA** began to receive donations intended for this announced scholarship fund.
3. On or about May 22, 2018, the Utica City School District Board of Education authorized its Treasurer to open an interest-bearing account in connection with a scholarship fund in the name of Andrea LaPolla with the expectation that a scholarship would be awarded annually to a student who intended to pursue post-secondary education in a health-related field.
4. On or about May 22, 2018, Defendant **LAPOLLA** sent the Utica City School District Board of Education a \$1,000 check for the newly opened scholarship fund account honoring Andrea LaPolla. Defendant **LAPOLLA** was then Vice President of the Utica City School District Board of Education.

5. In or around July 2018, Defendant **LAPOLLA** became President of the Utica City School District Board of Education, a position he held for approximately four years.

COUNTS 1-6
[Mail Fraud]

The Scheme

6. The allegations set out in Paragraphs 1 through 5 above are hereby incorporated by reference as if fully set forth herein.

7. From in or around March 2018, through and including in or around May 2022, the defendant, **LOUIS LAPOLLA**, devised and intended to devise a scheme and artifice to defraud and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.

Manner and Means

It was part of the scheme and artifice to defraud that:

8. From in or around March 2018, through and including in or around May 2022, Defendant **LAPOLLA** sent and caused to be sent by U.S. mail thousands of flyers and other solicitations seeking donations to the Andrea LaPolla scholarship fund.

9. In response to his solicitations and mailings, Defendant **LAPOLLA** received tens of thousands of dollars in donations intended for the Andrea LaPolla scholarship fund. Many of the donations came to Defendant **LAPOLLA** by mail in the form of personal checks. Defendant **LAPOLLA** knew the donations were intended for and should have gone to the Andrea LaPolla scholarship fund, but he instead converted to his own use nearly all donations he received that were intended for the scholarship fund. Through the flyers and solicitations Defendant **LAPOLLA** sent and caused to be circulated by mail and otherwise, Defendant **LAPOLLA** encouraged donors to make donation checks out to him, knowing and intending that he would and did keep for himself funds donated to the scholarship fund.

10. On or about each of the dates set forth below, in Oneida County in the Northern District of New York, and elsewhere, Defendant **LAPOLLA**, for the purpose of executing the scheme and artifice described above, knowingly caused to be delivered by mail any matter or thing according to the direction thereon and at the place at which it is directed to be delivered by the person to whom it is addressed:

Count	Date	Description	Mailed from:	Mailed to:
1	February 1, 2019	\$40 check	D.S.	Home address of LOUIS LAPOLLA
2	August 15, 2019	\$50 check	L.B.	Home address of LOUIS LAPOLLA
3	December 17, 2019	\$500 check	D.M.	Home address of LOUIS LAPOLLA
4	March 29, 2021	\$50 check	B.G.	Home address of LOUIS LAPOLLA
5	March 22, 2022	Flyer regarding fundraiser retirement dinner for LOUIS LAPOLLA	Home address of LOUIS LAPOLLA	M.F.
6	March 25, 2022	Flyer regarding fundraiser retirement dinner for LOUIS LAPOLLA	Home address of LOUIS LAPOLLA	J.P.

In violation of Title 18, United States Code, Section 1341.

FORFEITURE ALLEGATION

As a result of committing the offenses alleged in Counts One through Six of this Indictment, which are realleged and incorporated by reference as if fully set forth here, defendant **LOUIS LAPOLLA** shall forfeit to the United States of America, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), any property, real and personal, relative to the offenses of conviction, which constitutes and is derived from, proceeds traceable to a violation of 18 U.S.C. § 1341 (mail fraud).

The intent of the United States of America to forfeit such property includes, but is not limited to:

(a) A money judgment in the amount of \$38,616.

If any of the property described above, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty,

it is the intention of the United States of America, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the forfeiture judgment.


Dated: September 20, 2023

A TRUE BILL, *NAME REDACTED*

Grand Jury Foreperson

CARLA B. FREEDMAN
United States Attorney

By:


Michael F. Perry
Assistant United States Attorney
Bar Roll No. 518952